

REMARKS

In the Office Action mailed July 8, 2008, the Examiner rejected claims 1, 4-9, 12-14, and 23-26 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,772,216 to Ankireddipally et al. (Ankireddipally); rejected claims 2-3 and 17-18 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of U.S. Patent No. 5,604,487 to Frymier; rejected claim 10 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of U.S. Patent Application Publication No. 2003/0135640 to Ho et al. (Ho); rejected claim 11 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of U.S. Patent No. 5,654,969 to Wilhelmsson; rejected claims 15 and 16 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of U.S. Patent No. 6,857,023 to Rivadalla et al. (Rivadalla); rejected claims 19-22 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of U.S. Patent Application Publication No. 2003/0163589 to Bunce et al. (Bunce).

By this amendment, Applicants amend claim 1 (adding at line 8 a “;”) to correct a typographical error and amend claims 1, 12, and 19 to more clearly define features of those claims. Applicants submit that the amendments are supported by the specification (see, e.g., paragraph 0045).

Claims 1-26 are currently pending.

At the outset, Applicants respectfully submit that the rejections violate 35 USC § 132 and are thus improper because the explanation that the Examiner provides lacks sufficient specificity. 35 USC § 132 provides, in relevant part, that “whenever, on examination, any claim for a patent is rejected, or any objection or requirement made, the Commissioner shall notify the applicant thereof, stating the reasons for such

rejection, or objection or requirement, together with such information and references as may be useful in judging of the propriety of continuing the prosecution of his application." A claim rejection violates 35 USC § 132 if it "is so uninformative that is prevents the applicant from recognizing and seeking to counter the grounds for rejection." *Chester v. Miller*, 906 F.2d 1574, 1578, 15 USPQ2d 1333, 1337 (Fed. Cir. 1990). Indeed, the Examiner merely recites to various paragraphs and figures without any corresponding reasons to enable the Applicants to judge the propriety of the rejections. As such, the foregoing rejections should be withdrawn.

REJECTION OF CLAIMS 1, 4-9, 12-14, AND 23-26 UNDER 35 U.S.C. § 102(E)

The Examiner rejected claims 1, 4-9, 12-14, and 23-26 under 35 U.S.C. § 102(e) as anticipated by Ankireddipally. Applicants respectfully traverse this rejection.

Claim 1 recites a combination including, among other things, "receiving an acknowledgment message responsive to the request message, the acknowledgement message being an application-level message sent by the receiver system of the request message, the acknowledgement message being in a format in accordance with extensible markup language format, the acknowledgement message sent to the sender system of the request message, and the acknowledgement message having different types, each type characterizing an application state, the application states comprising:

a state indicating the request message was processed correctly in an application of the receiver system,

a state indicating the request message processed with error in the application of the receiver system,

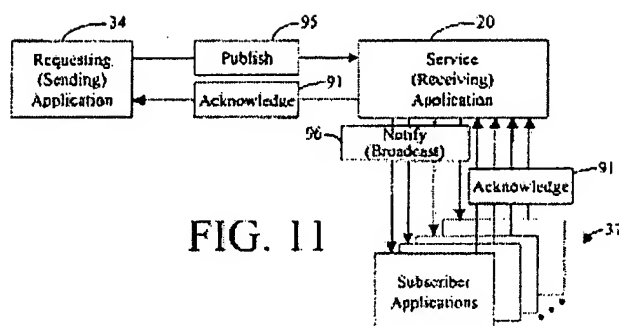
a state indicating processing of the request message canceled after error,

a state indicating a system error occurred during processing of the request

message, and

a state indicating an outbound adapter of the receiver system does not support application acknowledgments." For at least the reasons given below, Ankireddipally fails to disclose an acknowledgement message with the above noted features (e.g., an acknowledgement message that is sent to the sender system of the request message and that includes the state characterization features noted above).

The Examiner alleges that Ankireddipally at col. 19, lines 1-23, discloses the following feature of claim 1: "the acknowledgement message having different types, each type characterizing an application state, the application states comprising ... a state indicating the request message was processed correctly in an application of the receiver system." Office Action, page 4. However, a carefully scrutiny of the passage relied upon by the Examiner reveals that the passage does not disclose what the Examiner alleges. Rather than an acknowledgement message characterizing the state of whether the request message was processed correctly in an application of the receiver system, Ankireddipally discloses a Notify message 96. Notify message 96 cannot constitute an acknowledgement message because the Notify message 96 is a separate message from the acknowledgment message. Moreover, the Notify message 96 is not sent to the sender of a request message but to "Subscriber Applications," so the Notify message 96 cannot possibly serve as an "acknowledgement message sent to the sender system of the request message," as recited in claim 1. Below Applicants reproduce Ankireddipally FIG. 11 to illustrate that Ankireddipally's Notify message 96 cannot constitute the claimed "acknowledgment message" which characterizes the state of the application as noted above.



In view of the foregoing, Ankireddipally fails to disclose at least the following feature of claim 1: "receiving an acknowledgment message responsive to the request message, the acknowledgement message being an application-level message sent by the receiver system of the request message, the acknowledgement message being in a format in accordance with extensible markup language format, the acknowledgement message sent to the sender system of the request message, and the acknowledgement message having different types, each type characterizing an application state, the application states comprising: *a state indicating the request message was processed correctly in an application of the receiver system.*" Emphasis added. Therefore, claim 1 is not anticipated by Ankireddipally, and the rejection under 35 U.S.C. § 102(e) of claim 1 and claims 4-9, at least by reason of their dependency from independent claim 1, should be withdrawn for this additional reason.

The Examiner alleges that Ankireddipally discloses the following feature of claim 1: "the acknowledgement message having different types, each type characterizing an application state, the application states comprising ... a state indicating the request message processed with error in the application of the receiver system." Office Action, page 4. However, the Examiner fails to cite to any passage in Ankireddipally to support

that allegation. Therefore, claim 1 is not anticipated by Ankireddipally, and the rejection under 35 U.S.C. § 102(e) of claim 1 and claims 4-9, at least by reason of their dependency from independent claim 1, should be withdrawn for this additional reason.

The Examiner alleges that Ankireddipally at col. 18, lines 58-65, discloses the following feature of the claim 1 acknowledgement message: "a state indicating processing of the request message canceled after error." Office Action, page 4. Rather than an acknowledgement message characterizing the state of whether the processing of the request message is canceled due to an error, Ankireddipally discloses, at best, a Cancel message 94 used to merely cancel a Request message 90. Specifically, Ankireddipally states:

A Cancel message 94, shown in FIG. 9, is used to cancel a previously sent Request message 90. Service application 20 immediately sends an Acknowledge message 91 in response to receipt of a Cancel message 94. For each Cancel message 94, service application 20 eventually sends a Reply message 92 to inform application 34 of the disposition of the cancellation process. The Reply message 92 may indicate that the process has been successful, has failed or is unsupported. The receiving party sends Acknowledgement message 91 in response to Reply message 92.

Ankireddipally, col. 18, lines 58-65. As such, Ankireddipally's Cancel message 94 cannot possibly constitute "the acknowledgement message having different types, each type characterizing an application state, the application states comprising: ... a state indicating processing of the request message canceled after error," as recited in claim 1. Therefore, claim 1 is not anticipated by Ankireddipally, and the rejection under 35 U.S.C. § 102(e) of claim 1 and claims 4-9, at least by reason of their dependency from independent claim 1, should be withdrawn for this additional reason.

The Examiner alleges that Ankireddipally at col. 20, lines 9-24 and col. 18, 58-67

discloses the following features of claim 1: "the acknowledgement message having different types, each type characterizing an application state, the application states comprising ... a state indicating a system error occurred during processing of the request message, and a state indicating an outbound adapter of the receiver system does not support application acknowledgments." Office Action, page 4. However, a carefully scrutiny of the cited passages reveals that they does not disclose what the Examiner alleges. Regarding col. 20, lines 9-24, Ankireddipally discloses errors and message errors but not that the acknowledgement message characterizes "a state indicating a system error occurred during processing of the request message," as recited in claim 1. Regarding col. 18, 58-67 (which is reproduced above), the cited passage makes no mention of an adapter, much less "a state indicating an outbound adapter of the receiver system does not support application acknowledgments," as recited in claim 1. Therefore, claim 1 is not anticipated by Ankireddipally, and the rejection under 35 U.S.C. § 102(e) of claim 1 and claims 4-9, at least by reason of their dependency from independent claim 1, should be withdrawn for this additional reason.

Claims 12 and 19, although of different scope, include features similar to those noted above with respect to claim 1. For at least the reasons noted above with respect to claim 1, claims 12 and claims 13-14, at least by reason of their dependency from claim 12, and claims 23-26, at least by reason of their dependency from claim 19, are not anticipated by Ankireddipally, and the rejection under 35 U.S.C. § 102(e) of those claims should be withdrawn for this additional reason.

REJECTION OF CLAIMS 2-3 AND 17-18 UNDER 35 U.S.C. § 103(A)

The Examiner rejected claims 2-3 and 17-18 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of Frymier. Applicants respectfully traverse

this rejection.

Claims 2-3 depend from claim 1 and each includes the following features of claim 1: "receiving an acknowledgment message responsive to the request message, the acknowledgement message being an application-level message sent by the receiver system of the request message, the acknowledgement message being in a format in accordance with extensible markup language format, the acknowledgement message sent to the sender system of the request message, and the acknowledgement message having different types, each type characterizing an application state, the application states comprising: a state indicating the request message was processed correctly in an application of the receiver system, a state indicating the request message processed with error in the application of the receiver system, a state indicating processing of the request message canceled after error, a state indicating a system error occurred during processing of the request message, and a state indicating an outbound adapter of the receiver system does not support application acknowledgments." As noted above, Ankireddipally fails to disclose these features. Moreover, although Frymier discloses verified communications, Frymier does not cure the above-noted deficiencies of Ankireddipally. Nor does the Examiner allege that Frymier cures these deficiencies. Therefore, claims 2-3 are allowable over Ankireddipally and Frymier, whether taken alone or in combination, and the rejections of those claims under 35 U.S.C. § 103(a) should be withdrawn.

Claims 17 and 18, although of different scope, include features similar to those noted above with respect to claims 2-3. For at least the reasons noted above with respect to claims 2-3, claims 17 and 18 are allowable over Ankireddipally and Frymier,

whether taken alone or in combination, and the rejections of those claims under 35 U.S.C. § 103(a) should be withdrawn.

REJECTION OF CLAIM 10 UNDER 35 U.S.C. § 103(A)

The Examiner rejected claim 10 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of Ho. Applicants respectfully traverse this rejection.

Claim 10 depends from claim 1 and includes the following features of claim 1: "receiving an acknowledgment message responsive to the request message, the acknowledgement message being an application-level message sent by the receiver system of the request message, the acknowledgement message being in a format in accordance with extensible markup language format, the acknowledgement message sent to the sender system of the request message, and the acknowledgement message having different types, each type characterizing an application state, the application states comprising: a state indicating the request message was processed correctly in an application of the receiver system, a state indicating the request message processed with error in the application of the receiver system, a state indicating processing of the request message canceled after error, a state indicating a system error occurred during processing of the request message, and a state indicating an outbound adapter of the receiver system does not support application acknowledgments." As noted above, Ankireddipally fails to disclose these features. Moreover, although Ho discloses group transmissions and acknowledgements, Ho does not cure the above-noted deficiencies of Ankireddipally. Nor does the Examiner allege that Ho cures these deficiencies. Therefore, claim 10 is allowable over Ankireddipally and Ho, whether taken alone or in combination, and the rejections of claim 10 under 35 U.S.C. § 103(a) should be

withdrawn.

REJECTION OF CLAIM 11 UNDER 35 U.S.C. § 103(A)

The Examiner rejected claim 11 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of Wilhelmsson. Applicants respectfully traverse this rejection.

Claim 11 depends from claim 1 and includes the following features of claim 1:

"receiving an acknowledgment message responsive to the request message, the acknowledgement message being an application-level message sent by the receiver system of the request message, the acknowledgement message being in a format in accordance with extensible markup language format, the acknowledgement message sent to the sender system of the request message, and the acknowledgement message having different types, each type characterizing an application state, the application states comprising: a state indicating the request message was processed correctly in an application of the receiver system, a state indicating the request message processed with error in the application of the receiver system, a state indicating processing of the request message canceled after error, a state indicating a system error occurred during processing of the request message, and a state indicating an outbound adapter of the receiver system does not support application acknowledgments." As noted above, Ankireddipally fails to disclose these features. Moreover, although Wilhelmsson discloses a communications network, Wilhelmsson does not cure the above-noted deficiencies of Ankireddipally. Nor does the Examiner allege that Wilhelmsson cures these deficiencies. Therefore, claim 11 is allowable over Ankireddipally and Wilhelmsson, whether taken alone or in combination, and the rejections of claim 11 under 35 U.S.C. § 103(a) should be withdrawn.

REJECTION OF CLAIMS 15 AND 16 UNDER 35 U.S.C. § 103(A)

The Examiner rejected claims 15 and 16 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of Rivadalla. Applicants respectfully traverse this rejection.

Claims 15-16 depends from claim 12 and each includes the following features:

"receiving an acknowledgment message responsive to the request message, the acknowledgement message being an application-level message sent by the receiver system of the request message, the acknowledgement message being in a format in accordance with extensible markup language format, the acknowledgement message sent to the sender system of the request message, and the acknowledgement message having different types, each type characterizing an application state, the application states comprising a state indicating the request message was processed correctly in an application of the receiver system, a state indicating the request message processed with error in the application of the receiver system; a state indicating processing of the request message canceled after error, a state indicating a system error occurred during processing of the request message, and a state indicating an outbound adapter of the receiver system does not support application acknowledgments." As noted above, Ankireddipally fails to disclose these features. Moreover, although Rivadalla discloses an interface controller, Rivadalla does not cure the above-noted deficiencies of Ankireddipally. Nor does the Examiner allege that Rivadalla cures these deficiencies. Therefore, claims 15-16 are allowable over Ankireddipally and Rivadalla, whether taken alone or in combination, and the rejections of claims 15 and 16 under 35 U.S.C. § 103(a) should be withdrawn.

REJECTION OF CLAIMS 19-22 UNDER 35 U.S.C. § 103(A)

The Examiner rejected claims 19-22 under 35 U.S.C. § 103(a) as unpatentable over Ankireddipally in view of Bunce. Applicants respectfully traverse this rejection.

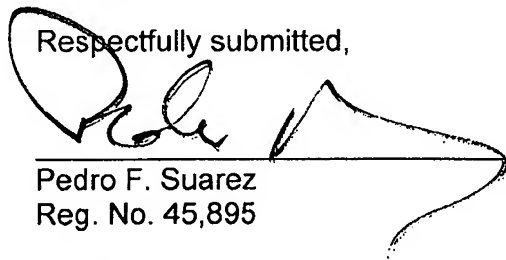
Claim 19 includes the following features: "receiving an acknowledgment message responsive to the request message, the acknowledgement message being an application-level message sent by the receiver system of the request message, the acknowledgement message being in a format in accordance with extensible markup language format, the acknowledgement message sent to the sender system of the request message, and the acknowledgement message having different types, each type characterizing an application state, the application states comprising: a state indicating the request message was processed correctly in an application of the receiver system, a state indicating the request message processed with error in the application of the receiver system, a state indicating processing of the request message canceled after error, a state indicating a system error occurred during processing of the request message, and a state indicating an outbound adapter of the receiver system does not support application acknowledgments." As noted above, Ankireddipally fails to disclose these features. Moreover, although Bunce discloses pipelining, Bunce does not cure the above-noted deficiencies of Ankireddipally. Nor does the Examiner allege that Bunce cures these deficiencies. Therefore, claim 19 and claims 20-22, at least by reason of their dependency from independent claim 19, are allowable over Ankireddipally and Bunce, whether taken alone or in combination, and the rejections of claims 19-22 under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

Applicant is concurrently filing herewith a Petition for a one-month extension of time with the requisite fee, authorization for a credit card payment of the filing fee is submitted herewith. No additional fees are believed to be due, however the Commissioner is authorized to charge any additional fees or credit overpayments to Deposit Account No. 50-0311, reference No. 34874-063/2003P00276US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



Pedro F. Suarez
Reg. No. 45,895

Date: 18 February 2009

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130
Customer No. 64280
Tel.: 858/314-1540
Fax: 858/314-1501